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# CHAPTER 17

## MOTOR VEHICLE SAFETY

### GUIDELINES FOR SAFE MOTOR VEHICLE OPERATION

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# **CHAPTER 17**

## **MOTOR VEHICLE SAFETY**

### **GUIDELINES FOR SAFE MOTOR VEHICLE OPERATION**

#### **17.00 INTRODUCTION**

This chapter promotes safe motor vehicle operation for employees who may operate a State-owned, rented, or privately owned motor vehicle while on official State business.

Information regarding motor vehicle accidents and how to report motor vehicle accidents is found in Chapter 18 - MOTOR VEHICLE ACCIDENTS.

#### **17.01 PURPOSE**

Details are provided regarding departmental policies covering safe vehicle operation including: use of seat belts and shoulder harnesses; driver license requirements; defensive driver training; misuse of vehicles; and related safe motor vehicle operation practices.

#### **17.02 POLICY STATEMENT**

Every employee who drives a motor vehicle on official State business shall possess a valid California Driver's License appropriate to the type of vehicle(s) operated and possess reasonable knowledge of and understand the provisions of the California Vehicle Code (CVC) governing the operation of vehicles on the highways.

### **17.03 VEHICLE INSPECTIONS**

#### **Pre-operational Inspections**

- Employees who operate Caltrans vehicles and equipment, and/or Department of General Services fleet vehicles are required to perform a pre-operational (pre-op) inspection. Each employee is responsible to check the readiness of the vehicle before a trip begins and to arrange for minor servicing including lubrication, oil changes, or other routine services performed at frequencies stated on the manufacturer's service interval records. Operators are also responsible for the safe operation, condition, and appearance of their assigned vehicles.
- Employees should visually inspect the inside and outside of a vehicle and immediately report any defects, deficiencies, or damage. All seat belts and/or shoulder harnesses or similar safety restraint devices shall be inspected during each pre-operational check of vehicle or equipment.
- Any problems arising during the operation of a State vehicle should be reported when the vehicle is returned to the pool dispatcher or fleet operator.

### **17.04 LAST DRIVER/OPERATOR FAILURE TO REPORT DAMAGE**

Any employee using a State-owned vehicle is required to report any damage to a State-owned vehicle as soon as possible. Appropriate forms for reporting damage to motor vehicles are explained in Chapter 18 (MOTOR VEHICLE ACCIDENTS) of this manual.

The first employee who notices damage to a vehicle during a pre-operation inspection is responsible to report this to his/her supervisor. The supervisor will then investigate and report the damage. The previous driver or operator may be held accountable and could be subject to appropriate disciplinary action. If vehicle damage is determined to be the result of mistreatment or abuse, an assessment of the damages may be charged against the employee considered responsible.

Supervisors who fail to enforce the requirements of this policy shall be subject to appropriate disciplinary action.

**17.05 MANDATORY SEATBELT LAW**

An employee on official State business operating or riding in a State-owned, privately-owned, or rented vehicle **must** wear a seatbelt and shoulder harness. This includes **all** vehicles and equipment, vanpool vehicles, and buses used by Caltrans employees.

- The California **mandatory seat belt law** as contained in CVC Section 27315(d)(1), states in part, "No person shall operate a . . . motor vehicle on a highway unless that person and all passengers . . . are *properly restrained* by a safety belt."

Departmental policy adds the following provisions:

- Supervisors shall instruct their employees (drivers/operators and/or passengers) that they must wear seatbelts and shoulder harnesses while the vehicle is in operation.
- Seatbelts and shoulder harnesses shall be used in accordance with the manufacturer's instructions.
- Shoulder harnesses shall be worn over the shoulder and not placed under the arm.
- Seatbelts and shoulder harnesses are not to be removed for reasons of personal comfort while the vehicle is in operation.
- If a vehicle is equipped with automatic shoulder restraints, the seat (lap) belt must also be fastened. Only vehicles equipped with just a single manufacturer's installed seatbelt or "lap belt" may be operated without a shoulder harness.
- If a seatbelt or shoulder harness is non-operational or needs adaptive equipment (e.g., seat belt extensions needed for larger persons), adjustments should be made prior to use;

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## 17.06 ENFORCING THE USE OF SEAT BELTS AND SHOULDER HARNESES

To ensure compliance with the seatbelt policy, supervisors shall include discussions regarding seatbelt and shoulder harnesses use whenever it is anticipated that an employee will be driving or will be a passenger in a State-owned vehicle. These discussions can take place during routine staff or safety meetings, including “tailgate” safety meetings.

To ensure compliance with the seatbelt policy, supervisors shall perform periodic visual spot checks or conduct some other method of review/surveillance (assessment?) at all Caltrans facilities and/or work locations where State vehicle use is occasioned.

The following **reminders** will assist supervisors to encourage and ensure compliance:

- It is California State law and departmental policy that any employee operating a State-owned, privately owned, or rented vehicle while on official State business, must wear the seatbelt and shoulder harness.
- Statistics show that injuries resulting from an accident are more severe when seatbelts and shoulder harnesses are not worn.
- It is required to initiate disciplinary action against any employee, supervisor, or manager who fails to comply with the Department’s seatbelt and shoulder harness policy.
- The driver/operator of a State-owned vehicle could be the subject of an adverse action if a passenger in that vehicle was injured or killed in an accident and it was determined that there had been a failure to enforce the seatbelt policy.

### *VISUAL SPOT CHECKS*

#### ***Office work locations***

In most office work locations, discussions during meetings regarding the use of seatbelts and shoulder harnesses should be included to encourage compliance and enforcement of the seatbelt policy.

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In an office work setting it may not be practical and may even be difficult to physically walk to a vehicle to look into the window to confirm the use of seatbelts and shoulder harnesses. Supervisors must use some discretion and judgment in their efforts in these circumstances.

***Field work locations***

It is not always practical or possible for field supervisors to physically walk to a vehicle to look into the window to confirm the use of seatbelts and shoulder harnesses. Additionally, many field supervisors may not see or have physical contact with their employees every day.

**17.07 DRIVER LICENSE REQUIREMENTS**

All employees who drive any motor vehicle on State business shall possess a valid California driver license appropriate to the type of vehicle(s) used. Employees are responsible to ensure that their licenses are valid and to notify their supervisor if not.

Employees who work for Caltrans but live in another state are authorized to operate Caltrans vehicles as long as they possess a valid driver's license from their state of residence.

At a minimum, supervisors should review licenses annually; although it is appropriate for a supervisor to verify an employee's driver's license at any time.

**17.08 DRIVER LICENSE FEES**

All employees are obligated to pay the fees for their own driver licenses, excluding fees for the medical examination portion for specialized driver licenses noted below.

**17.09 MEDICAL EXAMINATION FEES FOR DRIVER LICENSES**

The Department may pay the fees for the medical examination for those-employees who require specialized driver licenses (Class A or B -- medical certificate needed). Employees requiring Class A or B licenses should contact their supervisor and/or review the applicable Memorandum of Understanding (MOU) covering their collective bargaining unit to determine if they are eligible to be reimbursed for this expense.

**17.10 EMPLOYEE DRIVING RECORDS****DEPARTMENT OF MOTOR VEHICLES (DMV) PULL NOTICE PROGRAM**

The driving record of an employee enrolled in the DMV "Pull Notice Program" will be sent to the Department once each year as well as each time there is any negative activity on his/her driving record. The employee's driving record is then provided to his/her supervisor for review and retention and any appropriate action, as defined in Section 1808.1 of the CVC.

There are three (3) groups of employees within Caltrans that are enrolled in the DMV Pull Notice Program:

1. Employees whose classification requires the possession of a valid driver's license as a minimum requirement. This group includes most Caltrans Maintenance classifications.
2. Employees who are in the Biennial Inspection of Terminals (BIT) program. This group includes employees who operate equipment requiring Class A, B, or C licenses with special certificates.
3. Employees (identified in the collective bargaining agreements) that are eligible for the Safety Incentive Award for having no motor vehicle code violations.

Driving records of employees enrolled in the DMV Pull Notice and BIT programs shall be maintained by the employees' supervisors.

Enrollment in the DMV Pull Notice Program will be terminated upon an employee's change from mandatory classification or bargaining agreement or separation from the Department. Supervisors are to notify the Pull Notice Coordinator of changes.

Employees that operate a Caltrans vehicle and live in another state will not appear in the DMV Pull Notice Program; however, they are required to present their valid out-of-state driver's license to their supervisor upon request.



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### 17.11 DEFENSIVE DRIVER TRAINING

The Department of General Services, Office of Risk and Insurance Management (ORIM), approves and develops statewide driver training courses. Topics included in the training are: avoidance techniques; reducing risks; defensive driving practices; and driver attitudes.

Employees that drive a State-owned, privately-owned, or rental vehicle on official State business **once a month** are considered *frequent drivers*. Frequent drivers are required to attend and successfully complete a defensive driver-training course provided by ORIM at least every four (4) years.

Frequent drivers in field work assignments are any employees assigned to one of the following programs: Maintenance; Structures; Surveys; Equipment; Construction; or any other program work activity that would be considered as “field work” or a “field assignment.”

Employees that exhibit a need for additional training (e.g., having a record of traffic violations and/or accidents) will be enrolled in the “Behind the Wheel” or “One-on-One” Defensive Driver Training (DDT) courses. Employees in this category and/or exhibit or continue to exhibit poor driving skills should be required to attend special driver-instructor training courses.

Managers and supervisors are responsible to ensure that qualifying employees are enrolled in, attend, and successfully complete DDT training programs.

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## 17.12 MISUSE OF STATE-OWNED MOTOR VEHICLES

Every employee that operates a State-owned vehicle is responsible for its safe operation and to maintain the vehicle according to the manufacturer's recommendations. **Additionally, employees shall not operate a State vehicle for personal use.** Managers, supervisors and employees shall comply with Department of Personnel Administration (DPA) Rule 599.802 that defines misuse of a State vehicle as follows:

- a) Employee drives or uses a State vehicle for any purpose other than in the conduct of official State business;
- b) Employee drives to or from his/her home or the vicinity of his/her home after completion of the workday without specific approval;
- c) Carrying passengers in the vehicle other than those directly involved with official State business (i.e. family members, friends, etc.).
- d) Mistreatment and abuse.

DPA Rule, Sections 599.803 through 599.806 defines other provisions for actual costs and liability, as well as penalties for misuse of a State vehicle.

Managers and supervisors shall investigate instances of alleged equipment mistreatment and abuse and take appropriate disciplinary action.

**17.13 VEHICLE BACKING POLICY**

The Department recognizes that there is an increased risk of vehicle accidents during vehicular backing maneuvers. To decrease the likelihood of a backing accident, the following procedures shall be adhered to:

- Whenever feasible, operations will be modified to eliminate backing. If backing is necessary, the affected supervisor, operator and employees will discuss the backing maneuvers before beginning operations.
- Before backing any vehicle, the operator shall visually inspect all sides of the vehicle to assure there are no obstacles, clearances or employees in the area. It may be necessary for the operator to exit and walk around the vehicle to perform a visual inspection.
- The driver should be alert to any other pedestrian or vehicular traffic that may enter the backing zone. If pedestrian traffic is anticipated, a spotter shall be utilized whenever practicable while backing.
- When two or more employees work together, the driver shall ask the other employee to act as a spotter at the rear of the vehicle before starting the backing movement. The operator and spotter shall have a clear understanding of the backing maneuver before moving the vehicle.
- If the operator must stop or park the vehicle in a position that will require backing, the vehicle should be positioned to maximize visibility to the rear and critical areas adjacent to the vehicle.

All motor vehicle accidents shall be immediately reported by the operator and competently investigated by the operator's supervisor. If the investigation determines the accident was avoidable, then appropriate disciplinary action must be taken.

**17.14 SECURING LOADS**

The driver/operator is responsible to secure and/or cover all loads and ensure that tools, tool compartments, side gates, and tailgates are secure before the equipment or vehicle is moved. If another employee assists in securing the load, the driver/operator remains responsible to perform safety checks before moving the vehicle.

**17.15 TOWING - Check height, secure hitch, and safety chain**

The tow driver/operator is responsible to check the height and secure the trailer, trailer hitch, safety chains, and attachments before the equipment or vehicle is moved. If another employee assists in securing the trailer, the driver/operator is responsible to perform a safety check before moving the vehicle. For more details, see the Division of Maintenance Code of Safe Operating Practices.

**17.16 AMBER WARNING LIGHTS**

CVC Section 25256 allows Caltrans vehicles to display flashing/rotating amber warning lights ". . . when such vehicles are parked or working on the highway."

Amber lights should only be used to alert traffic of workers on foot or operations near the traveled way. Do not use amber warning lights while driving, when parked in an established lane closure, or when no danger to an employee or motorist exists. When working during the hours of darkness, use the amber lights with discretion -- do not blind or distract traffic needlessly. Misuse/overuse of these warning lights seriously reduces their effectiveness. At times, the vehicle's emergency flashers may be more effective.

**17.17 PARKING AND/OR STOPPING ALONG STREETS AND HIGHWAYS**

When parking and/or stopping on the shoulder area of a highway, always park the vehicle as far off the paved shoulder area as possible if it is not intended to be used as a physical barrier. Carefully choose a location so the vehicle will not affect passing traffic, or interfere with employee sight distances.

Where possible, park motor vehicles in a manner that will minimize exposure to moving vehicular traffic as well as provide a physical barrier between employees and any traffic that may enter the work zone.

**17.18 DISABLED VEHICLE PROCEDURES**

All State-owned vehicles are provided with a directory listing of who and where to call in the event the vehicle becomes disabled.

Never leave a disabled vehicle where it may block the normal movement of traffic. Always attempt to move the disabled vehicle off the roadway for diagnosis of the problem as well as repairs. If necessary, have the vehicle towed to a safe location.

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## 17.19 UNAUTHORIZED VEHICLES FOR STATE BUSINESS

**Privately-owned motorcycles, mopeds, motor-driven cycles, and motorized bicycles (as defined in the CVC) are not authorized as a means of transportation in the conduct of any official Caltrans business.**

Employees are prohibited from using motorcycles, mopeds, motor-driven cycles, or motorized bicycles on official Caltrans business. Further, employees may **not** submit travel expense claims for State business conducted while using motorcycles, mopeds, motor-driven cycles, and or motorized bicycles.

The State Administrative Manual (SAM) Section 0759, and DPA Rule 599.626(f) **prohibit** any reimbursement for mileage and/or transportation expenses for motorcycles, mopeds, motor-driven cycles, or motorized bicycles.

Employees who violate this policy may be subject to disciplinary action. An employee who may be injured in an accident while in violation of this policy may be denied Workers' Compensation and related benefits.

## 17.20 USE OF BICYCLES

Bicycles may be used for transportation on Official State business. Employees who use bicycles shall:

- Possess reasonable knowledge and understand the provisions of the California Vehicle Code (CVC) 21200, governing the operation of a bicycle upon the highways;
- Have appropriate safety equipment as required by CVC 21200-23675. The safety equipment shall include a headlamp if operated during hours of darkness;
- Use personal protective safety equipment including an approved bicycle helmet, vest, shirt, or jacket of appropriate color equipped with reflective material for periods of darkness, safety glasses, and other appropriate bicycle safety apparel. See Chapter 12 PERSONAL PROTECTIVE EQUIPMENT (PPE), Section 12.20 WARNING GARMENTS, for details.

Employees may be reimbursed for using their privately owned bicycles on state business. To claim reimbursement as provided for in the Department of Personnel Administration (DPA) Rule 599.627(c), the Accounting Program Manager may require an employee to file Form 0205A, AUTHORIZATION TO USE PRIVATELY-OWNED VEHICLES ON STATE BUSINESS.